

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA

v.

ERIC SKIPWITH

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Criminal No. JKB-14-092

Civil No. – JFM-14-92

15-3267

MEMORANDUM

Eric Skipwith has filed a motion under 28 U.S.C. §2255. The motion will be denied for several reasons.

First, although Skipwith now contends that his entry of the plea was unknowing and involuntary because of “misadvice” given to him by his attorney, he acknowledged (and this court found) at his arraignment that the plea was voluntary and knowing.

Second, Skipwith ignores the fact that a notice could have been filed under 21 U.S.C. §851, subjecting him to a minimum mandatory sentence of ten years (120 months).

Third, this was a “C” plea pursuant to which the parties jointly agreed to recommend the sentence of between 70 and 87 months. This court sentenced Skipwith to 72 months.

Fourth, Skipwith emphasizes that many of his convictions were for drunk driving offenses. He indicates that they should not “count.” However, the offenses were, in this court’s judgment, serious ones which subjected members of the public to harm by the defendant. They obviously could have been taken into account by the court under 18 U.S.C. §3553.

A separate order denying Skipwith’s motion is being filed herewith.

Date: 2/29/16



J. Frederick Motz
United States District Judge